(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or

(ii) a stipulation of dismissal signed by all parties who have appeared."

SO STIPULATED.

Date: 2413

Date: 214/13

Golden & Kimbol, P.C.

Servando Timbol, Esq. Attorneys for Plaintiff, Fabian Zanzi

Lavely & Singer, PC.

Michael E. Weinsten, Esq. Attorneys for Defendant, John Travolta